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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,485	12/21/2001	Russell Morgan		9960

7590

09/13/2004

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EXAMINER

RAMPURIA, SHARAD K

ART UNIT PAPER NUMBER

2683

DATE MAILED: 09/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,485

Applicant(s)

MORGAN ET AL.

Examiner

Sharad Rampuria

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dimenstein et al. [US 2002/0086703] (hereinafter Dimenstein) in view of Martinez [US 5208446] (hereinafter Martinez).

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1. Regarding claim 1, Dimenstein disclose a secure point-of-sale cellular telephone docking module system (0006; Pg.1) comprising: a cellular telephone including an auxiliary connector; (113; fig.3; 0032; Pg.3)

a docking module having a docking module connector to electrically connect with said auxiliary connector; (0032; Pg.3)

Dimenstein fails to disclose docking module further including at least one magnetic media reading device in electrical communication with said microprocessor. However, Martinez teaches in an analogous art, that docking module further including a microprocessor; (fig.2; Col.3; 10-16)

said docking module further including at least one magnetic media reading device in electrical communication with said microprocessor; (54; fig.2; Col.3; 16-21)

said docking module further including a printing device in electrical communication with said microprocessor; (12; fig.2; Col.3; 39-50)

said docking module further including a multifunctional security access integrated circuit in electrical communication with said microprocessor; (54; fig.2; Col.3; 16-39) and

said docking module further including an electrical power source (17; fig.1) for said microprocessor, said magnetic media reading device, said multifunctional security access module and said printing device. (Col.3; 4-10) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include docking module further including at least one magnetic media reading device in electrical communication with said microprocessor in order to provide a method for wirelessly utilizing credit information to verify and accept payment for the order.

2. Regarding claim 2, Dimenstein discloses all the particulars of the claim except magnetic media reading device is a magnetic strip card reader. However, Martinez teaches in an analogous art, that the secure point-of-sale cellular telephone docking module system of claim 1 wherein said magnetic media reading device is a magnetic strip card reader. (54; fig.2; Col.3; 16-21) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include magnetic media reading device is a magnetic strip card reader in order to provide a method for wirelessly utilizing credit information to verify and accept payment for the order.

3. Regarding claim 3, Dimenstein discloses all the particulars of the claim except magnetic media reading device is a magnetic ink character reader. However, Martinez teaches in an analogous art, that the secure point-of-sale cellular telephone docking module system of claim 1 wherein said magnetic media reading device is a magnetic ink character reader. (54; fig.2; Col.3; 16-21) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include magnetic media reading device is a magnetic ink character reader in order to provide a method for wirelessly utilizing credit information to verify and accept payment for the order.

4. Regarding claim 4, Dimenstein the secure point-of-sale cellular telephone docking module system of claim 1 wherein said printing device is a thermal docket printer. (0030; Pg.2)

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Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dimenstein & Martinez further in view of Axiohm Thermal Printer Mechanism, User's Manual THTP Series, Preliminary Issue, reference 3104660-FDE, October, 1998. (hereinafter Axiohm).

5. Regarding claim 5, the above combination discloses all the particulars of the claim except printing device is an Axiohm model CHTP-9024 thermal printer. However, Axiohm teaches in an analogous art, that the secure point-of-sale cellular telephone docking module system of claim 1 wherein said printing device is an Axiohm model CHTP-9024 thermal printer. (first paragraph; Introduction; Pg.1) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include an Axiohm model CHTP-9024 thermal printer in order to provide a particular type of printer.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dimenstein & Martinez further in view of Siddoway et al. [US 5535434] (hereinafter Siddoway).

6. Regarding claim 6, the above combination discloses all the particulars of the claim except microprocessor is a Motorola MC68HC711 microprocessor. However, Siddoway teaches in an analogous art, that the secure point-of-sale cellular telephone docking module system of claim 1 wherein said microprocessor is a Motorola MC68HC711 microprocessor. (Col.2; 50-58) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include microprocessor is a Motorola MC68HC711 microprocessor in order to provide a particular type of microprocessor.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is 703-308-4736. The examiner can normally be reached on Mon-Fri. (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

Sharad Rampuria
August 22, 2004


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